

Process Server/Sheriff

MAR 03 2020

SERVED

2120 - Served      2121 - Served  
 2220 - Not Served      2221 - Not Served  
 2320 - Served By Mail      2321 - Served By Mail  
 2420 - Served By Publication      2421 - Served By Publication  
 Summons - Alias Summons

(06/28/18) CCG 0001

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Ruth O'Neill

(Name all parties)

v.

Walmart, Inc., &amp; Walmart Associates, Inc.

Case No. 2020L001977

Please serve: Walmart Associates, Inc.  
 702 SW 8th Street  
 Bentonville, AR 72716

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance and pay the required fee within thirty (30) days after service of this Summons, not counting the day of service. To file your answer or appearance you need access to the internet. Please visit [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org) to initiate this process. Kiosks with internet access are available at all Clerk's Office locations. Please refer to the last page of this document for location information.

If you fail to do so, a judgment by default may be entered against you for the relief requested in the complaint.

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

Witness: \_\_\_\_\_

2/18/2020 3:27 PM DOROTHY BROWN

DOROTHY BROWN, Clerk of Court

Atty. No.: 34010

Atty Name: McCready, Garcia, &amp; Leet, P.C.

Atty. for: Plaintiff

Address: 111 W. Washington Street, Ste. 1760

City: Chicago State: IL

Zip: 60602

Telephone: 773-779-9885

Primary Email: [service@mccreadylaw.com](mailto:service@mccreadylaw.com)Secondary Email: [Jess@mccreadylaw.com](mailto:Jess@mccreadylaw.com)Tertiary Email: [Gianna@mccreadylaw.com](mailto:Gianna@mccreadylaw.com)

Date of Service: \_\_\_\_\_  
 (To be inserted by officer on copy left with Defendant or other person):



Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois

[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

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Exhibit A

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## CLERK OF THE CIRCUIT COURT OF COOK COUNTY OFFICE LOCATIONS

- ☐ Richard J Daley Center  
50 W Washington  
Chicago, IL 60602
- ☐ District 2 - Skokie  
5600 Old Orchard Rd  
Skokie, IL 60077
- ☐ District 3 - Rolling Meadows  
2121 Euclid  
Rolling Meadows, IL 60008
- ☐ District 4 - Maywood  
1500 Maybrook Ave  
Maywood, IL 60153
- ☐ District 5 - Bridgeview  
10220 S 76th Ave  
Bridgeview, IL 60455
- ☐ District 6 - Markham  
16501 S Kedzie Pkwy  
Markham, IL 60428
- ☐ Domestic Violence Court  
555 W Harrison  
Chicago, IL 60607
- ☐ Juvenile Center Building  
2245 W Ogden Ave, Rm 13  
Chicago, IL 60602
- ☐ Criminal Court Building  
2650 S California Ave, Rm 526  
Chicago, IL 60608

### Daley Center Divisions/Departments

- ☐ Civil Division  
Richard J Daley Center  
50 W Washington, Rm 601  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☐ Chancery Division  
Richard J Daley Center  
50 W Washington, Rm 802  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm

- ☐ Domestic Relations Division  
Richard J Daley Center  
50 W Washington, Rm 802  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☐ Civil Appeals  
Richard J Daley Center  
50 W Washington, Rm 801  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☐ Criminal Department  
Richard J Daley Center  
50 W Washington, Rm 1006  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☐ County Division  
Richard J Daley Center  
50 W Washington, Rm 1202  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☐ Probate Division  
Richard J Daley Center  
50 W Washington, Rm 1202  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☒ Law Division  
Richard J Daley Center  
50 W Washington, Rm 801  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm
- ☐ Traffic Division  
Richard J Daley Center  
50 W Washington, Lower Level  
Chicago, IL 60602  
Hours: 8:30 am - 4:30 pm

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DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – LAW DIVISION

Ruth O'Neill,

Plaintiff,

v.

Walmart, Inc., &  
Walmart Associates, Inc.,

Defendant.

No. 2020L001977

**COMPLAINT**

NOW COMES the Plaintiff, Ruth O'Neill, by and through her attorneys, The Law Offices of McCready, Garcia & Leet, P.C., and in her complaint against the Defendants, Walmart, Inc., and Walmart Associates, Inc., states as follows:

**COUNT I- O'Neill v. Walmart Inc**

1. That on or about February 25, 2018, Defendant, WALMART, was a corporation that possessed, operated, managed, maintained and controlled or had a duty to possess, operate, manage, maintain or control, both directly and indirectly, individually and through its agents, servants and employees, the premises located at or near 7050 S Cicero Ave, Bedford Park, State of Illinois.
2. That on or about February 25, 2018, Plaintiff was an intended and permitted user of Defendant's premises located at or near 7050 S Cicero Ave, Bedford Park, State of Illinois.



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3. That on or about February 25, 2018, Plaintiff was legally and lawfully loading her parked car on Defendant's premises when she stepped onto uneven, broken and crumbled asphalt, which caused her to fall and suffer injuries.
4. That on or about February 25, 2018, it was the duty of the Defendant, WALMART, individually and by and through its agents, servants and employees in its behalf to exercise reasonable care and caution in and about the ownership, operation, management, maintenance and control of the aforesaid premises, so that the same would be in good, safe and proper condition for persons legally and lawfully on and upon said area to use and walk upon, and so as not to cause harm and injury to such persons.
5. That on or about February 25, 2018, Defendant, WALMART, well knowing its duty in this regard, carelessly and negligently caused and permitted said premises to become and remain in a dangerous condition for persons using said premises, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.
6. That on or about February 25, 2018, Defendant, WALMART, individually and by and through its agents, servants and employees in its behalf, was in violation of its duty and then and there guilty of one or more of the following careless and negligent acts and/or omissions:
  - a. Improperly operated, managed, maintained and controlled the aforesaid premises so that as a direct and proximate result thereof, the Plaintiff was injured;

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- b. Failed to make a reasonable inspection of the aforesaid premises when Defendant knew or should have known, that said inspection was necessary to prevent injury to the Plaintiff and others;
  - c. Failed to warn the Plaintiff of the dangerous condition of said premises when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff and others;
  - d. Failed to properly barricade and/or block off said premises where the uneven, broken and crumbled asphalt was located, and thus exposing Plaintiff and others to the dangerous condition;
  - e. Failed to properly fix the uneven, broken and crumbled asphalt when the Defendant knew or in the exercise of ordinary care should have known that the uneven, broken and crumbled asphalt created a hazardous condition for the Plaintiff;
  - f. Was otherwise negligent on the said premises.
7. That on or about February 25, 2018, and as a result of the aforesaid acts and/or omissions of the Defendant, WALMART, the Plaintiff was caused to fall when she stepped onto the uneven, broken and crumbled asphalt.
8. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the Plaintiff then and there sustained severe and permanent injuries, both internally and externally, and will be hindered and prevented from attending to usual duties and affairs and has lost, and will in the future

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lose, the value of that time as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff prays for judgment against Defendant, WALMART, in a dollar amount that satisfies the jurisdictional limitation of this court and such additional amounts as the jury and Court shall deem proper and, additionally, costs of said suit.

**COUNT II- O'Neill v. Walmart Associates**

9. That on or about February 25, 2018, Defendant, WALMART ASSOCIATES, was a corporation that possessed, operated, managed, maintained and controlled or had a duty to possess, operate, manage, maintain or control, both directly and indirectly, individually and through its agents, servants and employees, the premises located at or near 7050 S Cicero Ave, Bedford Park, State of Illinois.
10. That on or about February 25, 2018, Plaintiff was an intended and permitted user of Defendant's premises located at or near 7050 S Cicero Ave, Bedford Park, State of Illinois.
11. That on or about February 25, 2018, Plaintiff was legally and lawfully loading her parked car on Defendant's premises when she stepped onto uneven, broken and crumbled asphalt, which caused her to fall and suffer injuries.
12. That on or about February 25, 2018, it was the duty of the Defendant, WALMART ASSOCIATES, individually and by and through its agents, servants and employees in its

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behalf to exercise reasonable care and caution in and about the ownership, operation, management, maintenance and control of the aforesaid premises, so that the same would be in good, safe and proper condition for persons legally and lawfully on and upon said area to use and walk upon, and so as not to cause harm and injury to such persons.

13. That on or about February 25, 2018, Defendant, WALMART ASSOCIATES, well knowing its duty in this regard, carelessly and negligently caused and permitted said premises to become and remain in a dangerous condition for persons using said premises, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.
14. That on or about February 25, 2018, Defendant, WALMART ASSOCIATES, individually and by and through its agents, servants and employees in its behalf, was in violation of its duty and then and there guilty of one or more of the following careless and negligent acts and/or omissions:
  - a. Improperly operated, managed, maintained and controlled the aforesaid premises so that as a direct and proximate result thereof, the Plaintiff was injured;
  - b. Failed to make a reasonable inspection of the aforesaid premises when Defendant knew or should have known, that said inspection was necessary to prevent injury to the Plaintiff and others;
  - c. Failed to warn the Plaintiff of the dangerous condition of said premises when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff and others;



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- d. Failed to properly barricade and/or block off said premises where the uneven, broken and crumbled asphalt was located, and thus exposing Plaintiff and others to the dangerous condition;
- e. Failed to properly fix the uneven, broken and crumbled asphalt when the Defendant knew or in the exercise of ordinary care should have known that the uneven, broken and crumbled asphalt created a hazardous condition for the Plaintiff;
- f. Was otherwise negligent on the said premises.

15. That on or about February 25, 2018, and as a result of the aforesaid acts and/or omissions of the Defendant, WALMART ASSOCIATES, the Plaintiff was caused to fall when she stepped onto the uneven, broken and crumbled asphalt.

16. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the Plaintiff then and there sustained severe and permanent injuries, both internally and externally, and will be hindered and prevented from attending to usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff prays for judgment against Defendant, WALMART



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ASSOCIATES, in a dollar amount that satisfies the jurisdictional limitation of this court and such additional amounts as the jury and Court shall deem proper and, additionally, costs of said suit.

Ruth O'Neill

*Michael P. McCready*

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Michael P. McCready  
*Counsel for Plaintiff*

McCready, Garcia & Leet, P.C.  
111 W. Washington Street, Ste. 1760  
Chicago, IL 60602  
t: (773) 779-9885  
f: (773) 779-9190  
[service@McCreadyLaw.com](mailto:service@McCreadyLaw.com)

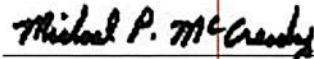
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**RULE 222(B) AFFIDAVIT**

Michael McCready, having been first duly sworn and upon oath states as follows:

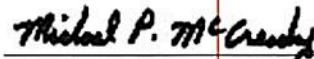
1. I would be competent to testify concerning the matters contained in this affidavit.
2. As attorney for Ruth O'Neill, I have reviewed the facts of this case and have determined that the total amount of money damages sought is greater than \$50,000
3. .

Further affiant sayeth naught.



Michael P. McCready

[x] Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



Michael P. McCready